



General Assembly

Distr.: Limited
14 November 2018
Original: English

Seventy-third session

Third Committee

Agenda item 70 (a)

Promotion and protection of the rights of children: promotion and protection of the rights of children

Albania, Andorra, Argentina, Austria, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, Panama, Peru, Poland, Portugal, Republic of Moldova, Romania, Serbia, Seychelles, Slovakia, Slovenia, Spain, Sweden, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of): revised draft resolution

Rights of the child

The General Assembly,

Reaffirming the importance of its resolution 44/25 of 20 November 1989, by which it adopted the Convention on the Rights of the Child,¹ which constitutes the standard in the promotion and protection of the rights of the child, reaffirming also that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention² and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

Reaffirming also all of its previous resolutions on the rights of the child, the most recent of which was resolution 72/245 of 24 December 2017, and recalling all other relevant resolutions, including 71/176 of 19 December 2016 on protecting children from bullying,

Reaffirming further the Universal Declaration of Human Rights,³ which proclaims that all human beings are born free and equal in dignity and rights and that

¹ United Nations, *Treaty Series*, vol. 1577, No. 27531.

² Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

³ Resolution 217 A (III).



everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, and noting that the year 2018 marks its seventieth anniversary.

Recalling the International Covenant on Civil and Political Rights,⁴ the International Covenant on Economic, Social and Cultural Rights,⁴ the Convention on the Rights of Persons with Disabilities,⁵ the International Convention for the Protection of All Persons from Enforced Disappearance,⁶ the 1951 Convention relating to the Status of Refugees⁷ and the 1967 Protocol thereto,⁸ the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,⁹ the United Nations Convention against Transnational Organized Crime¹⁰ and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,¹¹ the Convention on the Elimination of All Forms of Discrimination against Women,¹² and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,¹³ as well as both the Minimum Age Convention, 1973 (No. 138),¹⁴ and the Worst Forms of Child Labour Convention, 1999 (No. 182),¹⁵ of the International Labour Organization,

Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for actions concerning children,

Reaffirming also the Vienna Declaration and Programme of Action,¹⁶ the United Nations Millennium Declaration¹⁷ and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",¹⁸ recalling the Beijing Declaration and Platform for Action,¹⁹ the Programme of Action of the International Conference on Population and Development²⁰ and the outcome documents of their review conferences, the Copenhagen Declaration on Social Development²¹ and the Programme of Action of the World Summit for Social Development,²² the Declaration on Social Progress and Development, the Universal Declaration on the Eradication of Hunger and Malnutrition,²³ the United Nations Declaration on the Rights of Indigenous Peoples²⁴ and the outcome document of the high-level plenary meeting of the General Assembly

⁴ See resolution 2200 A (XXI), annex.

⁵ United Nations, *Treaty Series*, vol. 2515, No. 44910.

⁶ *Ibid.*, vol. 2716, No. 48088.

⁷ *Ibid.*, vol. 189, No. 2545.

⁸ *Ibid.*, vol. 606, No. 8791.

⁹ *Ibid.*, vol. 2220, No. 39481.

¹⁰ *Ibid.*, vol. 2225, No. 39574.

¹¹ *Ibid.*, vol. 2237, No. 39574.

¹² *Ibid.*, vol. 1249, No. 20378.

¹³ *Ibid.*, vol. 1465, No. 24841.

¹⁴ *Ibid.*, vol. 1015, No. 14862.

¹⁵ *Ibid.*, vol. 2133, No. 37245.

¹⁶ A/CONF.157/24 (Part I), chap. III.

¹⁷ Resolution 55/2.

¹⁸ Resolution S-27/2, annex.

¹⁹ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

²⁰ *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

²¹ *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

²² See resolution 2542 (XXIV).

²³ *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

²⁴ Resolution 61/295, annex.

known as the World Conference on Indigenous Peoples,²⁵ the Declaration on the Right to Development,²⁶ the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,²⁷ the outcome document, entitled "The future we want", adopted at the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,²⁸ and the outcome document of the fourth Global Conference on the Sustained Eradication of Child Labour, held in Buenos Aires from 14 to 16 November 2017 and the outcome documents of previous Global Conferences, and recalling also the World Congresses against Sexual Exploitation of Children and Adolescents, the Global Action Programme on Education for Sustainable Development²⁹ and the World Education Forum 2015, held in Incheon, Republic of Korea, from 19 to 22 May 2015,

Underscoring the importance of the implementation of the 2030 Agenda for Sustainable Development³⁰ in ensuring the enjoyment of the rights of the child,

Welcoming the work undertaken on the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration, to be considered for adoption in 2018, and recalling the importance of protecting the human rights and fundamental freedoms of all refugee and migrant children, with the best interests of the child as a primary consideration,

Taking note of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly³¹ and on the status of the Convention on the Rights of the Child and the issues addressed in resolution 72/245,³² as well as the report of the Special Representative of the Secretary-General on Violence against Children,³³ the report of the Special Representative of the Secretary-General for Children and Armed Conflict,³⁴ the report of the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material,³⁵ and the report of the Special Rapporteur of the Council on trafficking in persons, especially women and children,³⁶ whose recommendations should be carefully studied, taking fully into account the views of Member States,

Reaffirming that States have the primary responsibility to respect, promote and protect all human rights and fundamental freedoms, including the rights of the child,

Acknowledging the important role played by national governmental and local structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, in the best interests of the child, and that children, for the full

²⁵ Resolution 69/2.

²⁶ Resolution 41/128, annex.

²⁷ Resolution 62/88.

²⁸ Resolution 66/288, annex.

²⁹ See A/69/76, annex, enclosure 2.

³⁰ Resolution 70/1.

³¹ A/73/223.

³² A/73/272.

³³ A/73/276.

³⁴ A/73/278.

³⁵ A/73/174 and A/73/174/Corr.1.

³⁶ A/73/171.

and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding.

Noting with appreciation the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, by relevant mandate holders and special procedures of the United Nations and by relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of national human rights institutions and civil society, including non-governmental organizations,

Noting the convening of international, regional and national meetings aimed at eliminating all forms of violence against children, including all violent punishment of children, and encouraging additional efforts in this regard,

Recognizing the importance of international, regional and bilateral multi-stakeholder partnerships and initiatives to advance the effective protection and promotion of the rights of the child and the elimination of violence against children,

Taking note of the Safe Schools Declaration, which aims to promote and protect the right to education and facilitate the continuation of education in situations of armed conflict, and the global campaign to end violence in schools, which was launched in September,

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, gender inequality, pandemics, in particular HIV/AIDS, malaria, cholera and tuberculosis, fetal alcohol spectrum disorders and neo-natal, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, climate change, natural disasters, armed conflict, foreign occupation, displacement, famine, violence, terrorism, abuse, all forms of exploitation, including the commercial sexual exploitation of children, for purposes such as child prostitution, child pornography and other child sexual abuse material, child sex tourism, trafficking in children, including for purposes of labour and sexual exploitation, organ removal and the transfer of organs of the child for profit, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, inadequate protection and inadequate access to justice, and convinced that urgent and effective national and international action is called for,

Profoundly concerned also that the situation of children in many parts of the world remains negatively affected by the prolonged effects of poverty and inequality, reaffirming that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, recognizing the impact of poverty beyond the socioeconomic context and the intrinsic interlinkage between poverty eradication and the promotion of sustainable development, in this regard underlining the importance of the implementation of the 2030 Agenda for Sustainable Development, and recognizing that a strong focus is needed on poverty, deprivation and inequality to prevent and protect children from all forms of violence and to promote the resilience of children, their families and their communities,

Deeply concerned that children disproportionately suffer the consequences of discrimination, exclusion, inequality and poverty,

Profoundly concerned that children in many parts of the world remain negatively affected by the adverse impacts of climate change, including persistent drought and extreme weather events, land degradation, sea level rise, coastal erosion and ocean acidification, which further threaten health, food security and efforts to

eradicate poverty and achieve sustainable development, and in this regard calling for the implementation of the Paris Agreement³⁷ adopted under the United Nations Framework Convention on Climate Change,

Deeply concerned that approximately 5.6 million children under the age of 5 die each year,³⁸ mostly from preventable and treatable causes, and that the causes include inadequate access or lack of access to integrated and quality sexual, reproductive and maternal health-care services, as well as newborn and child health care and services, early childbearing and lack of access to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, including breastfeeding, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

Recognizing that the risk of maternal mortality is highest for girls under 15 years of age and that complications in pregnancy and childbirth are a leading cause of death among girls under 15 years of age in many countries,

Expressing concern that children with disabilities, particularly girls, face stigmatization, discrimination or exclusion and are disproportionately subjected to mental and physical violence and sexual abuse in all settings,

I

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 5 of its resolution 71/177 and that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children;

2. *Urges* States that have not yet done so to consider becoming parties to the Convention on the Rights of the Child¹ and the Optional Protocols thereto² as a matter of priority and to implement them effectively and fully, and encourages further efforts by the Secretary-General in this regard;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;¹⁶

4. *Welcomes* the attention paid to the rights of the child by the Special Representatives of the Secretary-General on Violence against Children and for Children and Armed Conflict and the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other sexual abuse material, and the Committee on the Rights of the Child, and, in this regard, their contribution to the progress achieved in the promotion and protection of the rights of children;

³⁷ See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.

³⁸ See United Nations Children's Fund, "Levels and trends in child mortality, 2018" (available from <https://data.unicef.org/wp-content/uploads/2018/10/Child-Mortality-Report-2018.pdf>).

II

Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

5. *Reaffirms* paragraphs 6 to 10 of its resolution 71/177, and calls upon States to ensure the enjoyment by all children of all their civil, political, economic, social and cultural rights without discrimination of any kind;

6. *Notes with concern* the large number of children belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee or asylum-seeking children, internally displaced children, children of African descent and children of indigenous origin who are victims of discrimination, including racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views and the child's gender-specific needs, including children with disabilities, in education programmes and programmes to combat these practices, and calls upon States to provide special support and to ensure equal access to services for those children;

7. *Calls upon* all States:

(a) To ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms, on an equal basis with other children, in recognition that discrimination against any child on the basis of disability is a violation of the inherent dignity and worth of the child, to enhance inclusion and address barriers faced by children with disabilities, including addressing discriminatory, attitudinal and environmental barriers to their participation and inclusion in society and in the community, and to develop gender- and age-sensitive policies and capacities to ensure the rights and address the particular needs of children, including migrant children, children without parental care, children in street situations and child victims of trafficking, and those affected by climate change, and prevent and respond to cases of gender-based violence;

(b) To take all necessary and effective measures to prevent and eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful practices, including female genital mutilation, child, early and forced marriage, and forced sterilization, by enacting and enforcing legislation and, where appropriate, by formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to protect girls, as well as by promoting awareness-raising and social mobilization initiatives for the protection of their rights;

(c) To respect and promote the right of girls and boys to express themselves freely and their right to be heard, to ensure that their views are given due weight, in accordance with their age and level of maturity, in all matters affecting them and to involve children, including children with disabilities, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives;

Registration, family relations, adoption and alternative care

8. *Reaffirms* paragraphs 11 and 12 of its resolution 71/177, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to preserve the identity of children, including their nationality, name and family relations, as recognized by law, to protect children in matters relating to birth registration, family relations and adoption or other forms

of alternative care, recognizing that every effort should be directed to enabling children to remain in or swiftly return to the care of their parents or, when appropriate, other close family members and that, where alternative care is necessary, family and community-based care should be promoted over placement in institutions;

9. *Recalls* every child's right to be registered immediately after birth, to a name, to acquire a nationality and to recognition everywhere as a person before the law, as set out in the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights,⁴ respectively, reminds States of their obligation to register the birth of all children without discrimination of any kind, including in the case of late birth registration, calls upon States to ensure that birth registration procedures are universal, accessible, simple, expeditious and effective and provided at minimal or no cost, to ensure their legal protection and to facilitate children's access to services without discrimination, and recognizes the importance of birth registration as a critical means of preventing statelessness;

10. *Encourages* States to take into account the Guidelines for the Alternative Care of Children,³⁹ to adopt and enforce laws and to improve the implementation of policies and programmes, budget allocation and human resources to support children, particularly children living in disadvantaged and marginalized families, to ensure that they are cared for effectively by their own families and communities, and to protect children growing up without parents or caregivers; where alternative care is necessary, decision-making should be in the best interests of the child, in full consultation with the child, as age appropriate, and with the child's legal guardians;

11. *Calls upon* States to take all measures necessary to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

Economic and social well-being of children

12. *Reaffirms* paragraphs 13 to 15 of its resolution 71/177, calls upon all States and the international community to create an enabling environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their commitments, including the Sustainable Development Goals,³⁰ and reaffirms that investment in children, especially for early childhood development, has high economic and social returns and that all related efforts to ensure that resources allocated and spent for children, especially on children's education and health, should serve as a means for the fulfilment of the rights of the child;

Eradication of poverty

13. *Calls upon* all States and the international community to cooperate, support and participate in the global efforts for poverty eradication, to mobilize all necessary resources and support in that regard, according to national plans and strategies, including through an integrated and multifaceted approach based on the rights and well-being of children, and to accelerate their efforts to realize the internationally agreed development and poverty eradication goals, including the Sustainable Development Goals, within their time framework, and reaffirms that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

14. *Urges* States to improve the situation of children living in poverty, in particular extreme poverty, deprived of adequate food and nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, taking into account that,

³⁹ Resolution 64/142, annex.

while a severe lack of goods and services hurts every human being, it is particularly threatening and harmful to children, leaving them unable to enjoy their rights, to reach their full potential and to participate as full members of society, and exposed to conditions that lead to increased violence;

Right to education

15. *Reaffirms* paragraphs 37 to 50 of its resolution 70/137 and recalls that education is a fundamental human right and a basis for guaranteeing the realization of other human rights and that it is essential for sustainable development and the promotion of peace and tolerance, as well as key to achieving full employment and poverty eradication;

16. *Calls upon* all States to take all appropriate measures to eliminate obstacles to effectively accessing and completing education, such as education that is unaffordable, hunger and poor nutrition, the distance from home to school, the institutionalization of children, armed conflicts, all forms of violence in school, insufficient infrastructure, including lack of access to water and sanitation, the lack of adequate and physically and otherwise safe and accessible schooling facilities for girls and child labour or heavy domestic work, and to ensure that children who are institutionalized also enjoy their right to education;

17. *Urges* all States to take all appropriate measures to eliminate discrimination against girls in the field of education and to ensure equal access for all girls to all levels of education, including through gender-responsive policies and programmes, improving the safety of girls on the way to and from school, taking steps to ensure that all schools are accessible, safe, secure and free from violence and providing separate and adequate sanitation facilities that provide privacy and dignity, thereby contributing to achieving equal opportunity and combating exclusion and ensuring school attendance, including for girls as well as for children from low-income families, children who become heads of households and girls who are already married or pregnant;

18. *Calls upon* States to develop policies and programmes with the support, where appropriate, of international organizations, civil society and non-governmental organizations, giving priority to formal, informal and non-formal education programmes, including scientifically accurate and age-appropriate comprehensive education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, and with appropriate direction and guidance from parents and legal guardians, with the best interests of the child as their basic concern, with information on sexual and reproductive health and HIV prevention, gender equality and women's empowerment, human rights, physical, psychological and pubertal development and power in relationships between women and men, to enable them to build self-esteem and foster informed decision-making, communication and risk-reduction skills and to develop respectful relationships, in full partnership with young people, parents, legal guardians, caregivers, educators and health-care providers, in order to, inter alia, enable them to protect themselves from HIV infection and other risks;

19. *Reaffirms* the right to education on the basis of equal opportunity and non-discrimination, and calls upon States to make primary education compulsory, inclusive and available free to all children, ensuring that all children have equal access to education of good quality, making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion by eliminating social, economic and gender disparities in education and ensuring school

attendance, in particular for girls, children with disabilities, pregnant adolescent girls, children living in poverty, indigenous children, children of African descent, persons belonging to ethnic or religious minorities and children in vulnerable or marginalized situations;

20. *Calls upon* States to accelerate efforts to eliminate gender-specific barriers to the equal enjoyment by girls of their right to education, to address gender-based discrimination, negative social norms and gender stereotypes in education systems, including in curricula, textbooks and teaching methodologies, and to fight all forms of violence, including sexual harassment and school-related sexual and gender-based violence, in and out of schools and other educational settings;

Right to the enjoyment of the highest attainable standard of health

21. *Reaffirms* paragraphs 25 to 28 of its resolution 68/147, and calls upon States to take all necessary measures to ensure that the right of the child to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, is respected, protected and fulfilled without discrimination of any kind, and that all forms of violence are prevented and addressed, in view of their negative impact on the physical and mental health of the child, including through the enactment and implementation of laws, strategies and policies, gender- and child-responsive budgeting and resource allocation, and adequate investment in health systems, including comprehensive and integrated primary health care and youth-friendly physical and mental health-care services, including in efforts to achieve the Sustainable Development Goals, in particular Goals 3 and 5, as well as in the implementation of the global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls, and against children and in the health workforce;

22. *Calls upon* States to address with all relevant stakeholders, as a matter of priority, the vulnerabilities faced by children affected by and living with HIV by providing care, support and treatment to those children, their families and caregivers and promoting rights-based and child-oriented HIV and AIDS policies and programmes, and to ensure access to affordable, effective and quality prevention, care and treatment, including through correct information, access to voluntary, confidential and affordable testing, comprehensive health care, including sexual and reproductive health care, services and education, and access to safe, affordable, effective, quality pharmaceutical products and medical technologies, by intensifying efforts to develop affordable, accessible and quality tools for early diagnosis and by prioritizing the prevention of mother-to-child transmission of the virus;

23. *Recognizes* the importance of the implementation of the human right to safe drinking water and sanitation for the full realization of the right of the child to the enjoyment of the highest attainable standard of physical and mental health, and therefore urges States and, through them, service providers to ensure a regular supply of safe, accessible and affordable drinking water and sanitation services of good quality and sufficient quantity, guided also by the principles of equity, equality and non-discrimination, bearing in mind that the human right to safe drinking water and sanitation for their populations is to be progressively realized with full respect for national sovereignty;

Right to food

24. *Reaffirms* General Assembly resolution 72/173 of 19 December 2017 on the right to food, and the right of children to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right

of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

25. *Calls upon* all States to take action to ensure the full realization of the right to food for all and to eliminate child hunger and malnutrition, including through the adoption or strengthening of national programmes to address food security and nutrition and adequate livelihoods, especially regarding vitamin A, iron and iodine deficiencies, the promotion of breastfeeding and a nutritious diet, as well as programmes, for example, school meal programmes, that should ensure adequate nutrition for all children, in order to enable all children to fully develop and maintain their physical and mental capacities, and to take measures, if appropriate, with relevant international organizations, to support programmes that are aimed at combating undernutrition in mothers, in particular during pregnancy, and in children, and the irreversible effects of chronic undernutrition in early childhood, in particular from birth to the age of 2 years;

Child labour

26. *Reaffirms* paragraphs 16 to 18 of its resolution 71/177, urges States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms, by 2025 at the latest, through stronger legislation and improved cooperation and coordination among ministries and workforces involved in social welfare and protection systems and the education and labour sectors, and to promote education as a key strategy, and urges States to continue to promote the engagement of all sectors of society in creating an enabling environment for the eradication of child labour;

Prevention and elimination of and response to of violence against children

27. *Reaffirms* paragraphs 19 to 36 of its resolution 72/245, and recalls article 19 of the Convention on the Rights of the Child, in which States parties are required to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child;

28. *Recalls* the United Nations study on violence against children submitted to the General Assembly in 2006,⁴⁰ notes with appreciation the efforts of the Special Representative of the Secretary-General on Violence against Children in continuing to mainstream the study recommendations in the international, regional and national agendas and promoting progress in the protection of children from violence, and takes note with appreciation of her publication entitled "Violence prevention must start in early childhood";

29. *Condemns* all forms of violence against children in all settings, including physical, psychological and sexual violence, torture and other cruel, inhuman or degrading treatment, child abuse and exploitation, hostage-taking, domestic violence, incest, trafficking in or sale of children and their organs, paedophilia, child prostitution, child pornography, child sex tourism, gang and armed violence, sexual exploitation of children online, bullying, including cyberbullying, and harmful practices, and urges States to strengthen efforts to prevent and protect children from all such violence through a comprehensive approach and to develop an inclusive multifaceted and systematic framework, which is integrated into national planning processes, to respond to violence against children and to provide for safe and child-

⁴⁰ A/61/299.

sensitive counselling and reporting procedures and safeguards for the rights of affected children;

30. *Calls upon* States to protect the child from all forms of physical or psychological violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse in schools, as well as all forms of bullying, and in this context to take measures to promote non-violent forms of discipline in schools and to adopt all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and human rights by taking all appropriate legislative, administrative, social and educational measures, in accordance with the best interests of the child, and in this regard welcomes the global campaign to end violence in schools;

31. *Urges* all States to address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence and harmful practices, including female genital mutilation and child, early and forced marriage, ensuring that marriage is entered into only with the informed, free and full consent of the intending spouses, and to repeal or amend relevant laws and policies to remove any provision that may enable child, early or forced marriage or enables perpetrators of rape, sexual abuse or abduction, to escape prosecution and punishment by marrying their victims;

Promoting and protecting the rights of children, including children in particularly difficult situations

32. *Reaffirms* paragraphs 26 to 28 of its resolution 71/177, and calls upon all States to promote and protect all human rights of all children and to implement evidence-based programmes and measures that provide them with special protection and assistance, including access to inclusive and equitable quality education, health care, social services and social protection;

33. *Calls upon* all States to protect the human rights of all children and to ensure, for children belonging to minorities and vulnerable groups, including migrant children, indigenous children, children of African descent, internally displaced children and children with disabilities, the enjoyment of all human rights as well as access to health care, social services, social protection and accessible and inclusive education on an equal basis with others, and to ensure that all such children, in particular unaccompanied migrant children, internally displaced children and those who are victims of violence and exploitation, receive special protection and assistance and that the best interests of the child are a primary consideration in their policies of integration, return and family reunification;

34. *Also calls upon* all States to protect refugee, asylum-seeking, migrant and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to violence and risks in connection with armed conflict and trafficking in persons, and, taking into account their gender-specific needs, stresses the need for States and the international community to continue to pay more systematic and in-depth attention to the special assistance, protection and development needs of those children through, inter alia, programmes aimed at rehabilitation and physical and psychological recovery and programmes for voluntary return or repatriation and, where appropriate and feasible, local integration and resettlement, to give priority to family tracing and family reunification and reintegration, and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work, in line with their obligations under international law;

Migrant children

35. *Reaffirms* paragraphs 40 to 87 of its resolution 71/177, and calls upon States to effectively promote and protect the human rights and fundamental freedoms of all children affected by migration, regardless of their migration status, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, while recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all children affected by migration and in avoiding approaches that might aggravate their vulnerability;

36. *Also reaffirms* the New York Declaration for Refugees and Migrants,⁴¹ welcomes the conclusion of the process of intergovernmental negotiations on a Global Compact for Safe, Orderly and Regular Migration in 2018, to be considered for adoption by States at the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, to be held in Morocco on 10 and 11 December 2018, and stresses the centrality of full respect for the human rights of all migrants, including migrant children;

37. *Takes note* of the joint general comments of the Committee on the Rights of the Child and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on the human rights of children in the context of international migration;

38. *Expresses deep concern* regarding the large and growing number of migrant children, particularly those who are unaccompanied or separated from their parents or primary caregivers, who may be particularly vulnerable along their journey, and expresses the commitment to protect the human rights of migrant children, given their vulnerability, in particular unaccompanied migrant children and migrant children with disabilities, to ensure that they receive appropriate protection and assistance and to provide for their health, education and psychosocial development, ensuring that the best interests of the child are a primary consideration in policies on integration, return and family reunification;

39. *Encourages* all States to prevent and eliminate discriminatory policies and legislation at all levels of government that deny migrant children access to inclusive, equitable and non-discriminatory quality education at all levels, including vocational training, while taking into account the best interests of the child as a primary consideration, to foster the successful integration of migrant children into the education system and the removal of barriers to their education in host countries and countries of origin, facilitating the recognition of educational records and/or administrative requirements for school registration;

40. *Urges* States to ensure, in conformity with their international and domestic obligations and commitments, that return, whether voluntary or otherwise, is consistent with international law, including international human rights law, and that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations, including all migrant children, and to take into account the principle of the best interests of the child, clarity of reception and care arrangements and family reunification;

41. *Welcomes* programmes that allow migrant children to integrate fully into countries of destination, promote a harmonious, inclusive and respectful environment and facilitate family reunification in order to promote the welfare and the best interests of migrant children and adolescents, as applicable under national law, due process and the relevant provisions of the Convention on the Rights of the Child and

⁴¹ Resolution 71/1.

the Optional Protocol's thereto, and to comply with the consular notification and access obligations set forth in the Vienna Convention on Consular Relations ⁴² so that States may provide child-sensitive consular assistance, as appropriate, including legal assistance;

42. *Stresses* the importance of international, regional and bilateral cooperation in the protection of the human rights of migrant children and therefore recognizes all efforts made by Governments, all relevant bodies, agencies, funds and programmes of the United Nations system, other relevant intergovernmental, regional and subregional organizations, including the International Organization for Migration and other organizations of the United Nations Network on Migration, and non-governmental stakeholders, including the private sector, in addressing international migration and development for the benefit of both migrants and societies, and bearing this goal in mind emphasizes the need to strengthen partnerships among all relevant stakeholders;

Children and the administration of justice

43. *Reaffirms* paragraphs 29 to 31 of its resolution 71/177, and calls upon all States to respect and protect the rights of child victims and witnesses and children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law, and to ensure that the arrest, detention or imprisonment of a child should be in conformity with the law and should be used only as a measure of last resort and for the shortest appropriate period of time;

44. *Urges* States to intensify their efforts to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment, to ensure that, if they are arrested, detained or imprisoned, children are provided with prompt access to legal and other appropriate assistance and have the right to challenge the legality of the deprivation of their liberty before a court or other competent authority and to a prompt decision on any such action and that, from the moment they are arrested, children have the right to maintain contact with their family through correspondence and visits, save in exceptional circumstances, that no child is sentenced or subjected to forced labour, corporal punishment or emotional or physical violence or deprived of access to and provision of health care and services, hygiene and environmental sanitation, nutritious food, access to open space for recreation, education, basic instruction and vocational training and access to safe, confidential and independent mechanisms to report on violence, and that the conditions in such settings are regularly and effectively monitored, and to undertake prompt investigations of all reported acts of violence and ensure that perpetrators are held accountable;

45. *Encourages* continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and in this regard recalls the validity and importance of international standards and norms in the field of human rights in the administration of juvenile justice;

Prevention and eradication of the sale of children, child prostitution and child pornography

46. *Reaffirms* paragraph 32 of its resolution 71/177, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale and trafficking of children, including for the purposes of removal of organs of the child, child slavery, forced labour and the sexual exploitation of children, including child prostitution and

⁴² United Nations, *Treaty Series*, vol. 596, No. 8638.

child pornography and other child sexual abuse material, with the aim of eradicating those practices, including when perpetrated using the Internet and other information and communications technologies, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the rights and needs of victims effectively, including universal access to comprehensive social, physical and mental health and legal services, without discrimination of any kind, and counselling for all victims to ensure their full recovery and reintegration into society, and to take effective measures against the criminalization of children who are victims of exploitation;

47. *Calls upon* States to enact and enforce the necessary legislative or other measures, in cooperation with relevant stakeholders, including the private sector and the media, to prevent the distribution over the Internet of child sexual abuse material, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted, as appropriate, while working towards ensuring that the opportunities provided by information and communications technologies in the lives of children, as tools for learning, socialization, expression, inclusion and fulfilment of their rights and fundamental freedoms, such as the right to education and the right to freedom of expression, including the freedom to seek, receive and impart information and the right to express their views freely, are used to their fullest;

48. *Also calls upon* States to ensure the legal protection of children from sexual abuse and exploitation online and to define it legally, in accordance with international human rights law and obligations, to criminalize all relevant conduct related to the sexual exploitation of children online and offline and to ensure that all those in the whole chain of individuals involved in or attempting to commit such criminal activities are held accountable and brought to justice in order to fight impunity, taking into account the multi-jurisdictional and transnational nature of child sexual exploitation and abuse perpetrated online through information and communications technologies;

Children affected by armed conflict

49. *Reaffirms* paragraphs 33 to 39 of its resolution 71/177, condemns in the strongest terms all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, but that boys are also targets, in recurrent attacks on schools and/or hospitals and related personnel and in patterns of abduction of children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end and prevent them and to encourage age- and gender-specific support services, including psychological, social and sexual and reproductive health-care services, and education, social protection and reintegration programmes, and notes in this regard the adoption of by the Security Council of resolution 2427 (2018) of 9 July 2018;

50. *Condemns in the strongest terms* rape and other forms of sexual violence committed against children in armed conflict, expresses deep concern at mass and systematic rape and sexual violence committed against children in armed conflict, in some instances calculated to humiliate, dominate, instil fear in and disperse and/or forcibly displace a population, calls upon all States and relevant United Nations bodies and agencies and regional organizations to take all necessary measures to prevent and address such acts of violence and ensure full accountability on this issue,

as well as on the issue of sexual exploitation and abuse of children in United Nations peacekeeping operations, and urges States to adopt appropriate national legislation to prevent such crimes, as well as mass abductions and sexual and gender-based violence, and to ensure their rigorous investigation and prosecution;

51. *Expresses its deep concern* about attacks, as well as threats of attack, in contravention of international humanitarian law, against schools and/or hospitals and related personnel, as well as the closure of schools and hospitals in situations of armed conflict as a result of attacks and threats of attack, recalls that all parties to armed conflict bear the primary responsibility for the protection of children, recalls the obligation to refrain from attacking schools and hospitals, in contravention of international humanitarian law, and to take all feasible precautionary measures to protect civilians from such attacks, in particular school children, and urges all parties to armed conflict to refrain from actions that impede the access of children to education and health-care services;

52. *Calls upon* all Member States to ensure that children associated or allegedly associated with armed groups, as well as child victims and witnesses of associated crimes, are treated primarily as victims and in line with the best interests of the child, and to prioritize non-judicial measures as alternatives to prosecution and detention that focus on their effective rehabilitation and reintegration, in accordance with international human rights law and international humanitarian law, in particular under the Convention of the Rights of the Child;

53. *Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

54. *Recalls* that, in accordance with international humanitarian law, indiscriminate or disproportionate attacks against civilians, including children, are prohibited and that children must not be the object of attack, including by way of reprisal or excessive use of force, condemns practices resulting in the killing and maiming of children, demands that all parties immediately put an end to such attacks, and urges all parties to armed conflict to comply with their obligations under international humanitarian law, in particular the principles of distinction, proportionality and the obligation to take all feasible precautions to avoid and, in any event, minimize harm to civilians and civilian objects;

55. *Calls upon* States to ensure timely and adequate funding for national disarmament, demobilization and reintegration programmes for children and for settlement, rehabilitation and reintegration efforts for all children associated with armed forces and groups, including detained children, particularly in support of national initiatives, and to secure the long-term sustainability of such efforts, including through the use of a multisectoral and community-based approach that is inclusive of all children, family-based care arrangements, as also highlighted in the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (the Paris Principles), and the mobilization of financial resources and technical assistance from international cooperation for rehabilitation and reintegration programmes for children;

56. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009, 1998 (2011) of 12 July 2011, 2068 (2012) of 19 September 2012, 2225 (2015) of 18 June 2015 and 2427 (2018) and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict

in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective and verifiable, and in this regard encourages the work and the deployment of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

III Follow-up

57. *Expresses support* for the work of the Special Representative of the Secretary-General on Violence against Children, and recognizes the progress achieved since the establishment of her mandate in promoting the prevention and elimination of all forms of violence against children in all regions and in advancing the implementation of the recommendations of the United Nations study on violence against children, including through partnerships with regional organizations, as well as advocacy through thematic consultations, field missions and thematic reports addressing emerging concerns, including on violence prevention in early childhood;

58. *Recommends* that the Secretary-General extend the mandate of the Special Representative of the Secretary-General on Violence against Children, as established in paragraphs 58 and 59 of its resolution 62/141 of 18 December 2007, for a further three years, and maintain support for the effective and independent performance and sustainability of the mandate of the Special Representative, funded from the regular budget;

59. *Urges* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children in promoting the further implementation of the recommendations of the United Nations study on violence against children and in supporting Member States in the implementation of the 2030 Agenda for Sustainable Development, encourages States to provide support to the Special Representative, including adequate voluntary financial support for the continued, effective and independent performance of her mandate, and invites organizations, including the private sector, to provide voluntary contributions for that purpose;

60. *Recalls* paragraph 52 (d) of its resolution 69/157 of 18 December 2014, in which it invited the Secretary-General to commission an in-depth global study on children deprived of their liberty, to be funded through voluntary contributions, also recalls paragraph 88 of its resolution 71/177 and paragraph 37 of its resolution 72/245, in which it invited the designated independent expert to submit a final report to the General Assembly at its seventy-fourth session, and in this regard encourages Member States and United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to contribute to and support the elaboration of the study;

61. *Decides:*

(a) To request the Secretary-General to submit to the General Assembly at its seventy-fourth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and on the issues addressed in the present resolution, with a focus on children without parental care;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly

and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General for Children and Armed Conflict, in carrying out her mandate for the protection of children in situations of armed conflict, in accordance with relevant resolutions of the General Assembly and the Security Council, to continue to engage proactively with relevant United Nations bodies and agencies, Member States, regional and subregional organizations and non-State armed groups, including by negotiating action plans, securing commitments, advocating for appropriate response mechanisms and ensuring attention and follow-up to the conclusions and recommendations of the Security Council Working Group on Children and Armed Conflict, and reaffirms the important role the Special Representative of the Secretary-General for Children and Armed Conflict can play in contributing to conflict prevention;

(d) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in fulfilment of her mandate, consistent with paragraphs 58 and 59 of its resolution 62/141, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

(e) To request the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, to continue to submit reports to the General Assembly and the Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining in the prevention and eradication of the sale of children, child prostitution and child pornography and the sexual exploitation and abuse of children;

(f) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its seventy-fourth session as a way to enhance communication between the Assembly and the Committee;

(g) To invite Member States and relevant United Nations bodies to formally commemorate the upcoming thirtieth anniversary of the Convention on the Rights of the Child in November 2019, including by convening a high-level plenary meeting of the seventy-fourth session of the General Assembly, in an intergovernmental effort to maintain momentum and increase action on the rights of the child, and requests the President of the General Assembly to conduct consultations with Member States to finalize the organizational and procedural arrangements for the high-level plenary meeting;

(h) To continue its consideration of the question at its seventy-fourth session under the item entitled "Promotion and protection of the rights of children".